

REGULAR CITY COUNCIL MEETING
APRIL 13, 1992

PRESENT

Don Dafoe	Mayor
Gayle Bunker	Council Member
Alan Burraston	Council Member
Robert Dekker	Council Member
Robert Droubay	Council Member
Rex Harris	Council Member

ABSENT

Dorothy Jeffery	City Recorder
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OTHERS PRESENT

Virginia Taylor	Deputy City Recorder
Richard Waddingham	City Attorney
Public Works Director	Neil Forster
Jim Frederick	First Security Bank
Janet Frederick	City Resident
Sara Jo Louder	
Ruth Hansen	City Resident
Russell Kennedy	Youth City Council
Steve Lester	City Resident
Jason Lester	Boy Scout
Bryce Ashby	Delta Fire Chief
Jerry Blanche	Millard County Resident
Rod Staples	Christensen's Dept. Store
Keith Griffiths	Millard School District
Superintendent Kenneth Topham	Millard School District
Georgia Hare	Central Utah Mental Health
H. Doyle Bender	City Treasurer
Rita Byrd	Public Works Secretary

Mayor Dafoe called the meeting to order at 7:00 p.m. Virginia Taylor, Deputy City Recorder, acted as secretary. Mayor Dafoe stated that notice of the meeting time, place and agenda was posted at the principal office of the governing body located at 76 North 200 West and was provided to the Millard County Chronicle/Progress, and to each member of the City Council by personal delivery two days prior to the meeting.

Council Member Robert Droubay offered an invocation, after which Mayor Dafoe led the Council in the Pledge of Allegiance.

MINUTES

The proposed minutes of a Regular City Council Meeting held March 23, 1992, were presented for consideration and approval. The Council reviewed the minutes briefly, after which Council Member Alan Burraston MOVED that the minutes be approved as presented. The motion was SECONDED by Council Member Robert Droubay. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

The proposed minutes of an Emergency City Council Meeting held April 2, 1992, were presented for consideration and approval. The Council reviewed the minutes briefly, after which Council Member Gayle Bunker MOVED that the minutes be approved as presented. The motion was SECONDED by Council Member Alan Burraston. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

ACCOUNTS PAYABLE

The Council reviewed the accounts payable, a list of which had been given to them two days prior to the meeting. Following a brief discussion of the accounts payable, Council Member Gayle Bunker MOVED that the accounts payable be approved for payment as listed in the amount of \$36,228.46. The motion was SECONDED by Council Member Robert Droubay. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

UNFINISHED BUSINESSATTORNEY RICHARD WADDINGHAM: DELTA CITY PERSONNEL POLICY

Mayor Dafoe asked Attorney Richard Waddingham to present the Delta City Personnel Policy.

Attorney Richard Waddingham was not prepared to present this item.

VERN FISHER, SUNRISE ENGINEERING: ENGINEERING AGREEMENT FOR DOWNTOWN BEAUTIFICATION PROJECT - CDBG

Vern Fisher was not in attendance; however, Attorney Richard Waddingham said that in a previous Regular City Council Meeting a proposed agreement for engineering services between Delta City and Sunrise Engineering was presented by Vern Fisher. Several changes and recommended language was discussed that was to be included in a final agreement. Attorney Waddingham said that he is working on the final agreement with Vern Fisher and that he will distribute a copy of the final draft to Mayor Dafoe and to each City Council

Member. He recommended that the City Council authorize Mayor Dafoe to sign the final agreement upon completion.

Discussion was held regarding engineering bids for a downtown beautification project. Mayor Dafoe explained that Vern Fisher, Sunrise Engineering, has been assisting with Delta City's application for CDBG funds and recommended that Delta City contract with Sunrise Engineering for engineering and designing a downtown beautification project.

Following discussion, Robert Droubay MOVED to authorize Mayor Dafoe to sign an agreement with Sunrise Engineering for Engineering Services for the CDBG Downtown Beautification Project in its final form. The motion was SECONDED by Council Member Gayle Bunker. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

NEW BUSINESS

SARA JO LOUDER: SCHOOL ON ALCOHOLISM AND OTHER DRUG DEPENDENCIES

Mayor Dafoe asked Sara Jo Louder to address the City Council regarding a University of Utah sponsored School On Alcoholism And Other Drug Dependencies.

Sara Jo Louder expressed her appreciation to the City Council for their financial contribution that allowed her to attend the University of Utah's School on Alcoholism and other Drug Dependencies. She expressed the importance of this program and the implementation of it in the community and in the schools. Mrs. Louder encouraged the City Council to continue their involvement through financial contributions.

SUPERINTENDENT KENNETH TOPHAM: 150 EAST MAIN TO 200 NORTH STREET IMPROVEMENTS

Mayor Dafoe asked Superintendent Kenneth Topham to address the City Council regarding 150 East Main to 200 North Street improvements.

Superintendent Topham addressed the City Council and explained that in a previously held Regular City Council Meeting discussion was held regarding street and sidewalk improvements along 150 East Street from Main Street to 200 North Street. Mr. Topham explained that the School District has designed and is willing to make street and sidewalk improvements along 150 East Street from Main Street to 100 North; however, the School Board assumed that, because 100 North Street was not closed, the School District would not be required to make improvements from 100 North to 200 North on 150 East and that street has not been included in the general contract. Mr. Topham requested that the City be responsible for the street improvements from 100 North to 200 North on 150 East.

Mayor Dafoe referred to the minutes of a Special City Council Meeting held April 15, 1991, wherein "Council Member Gayle Bunker moved to close 100 East Street between 100 North and the North side of Alfred Lake's property with the conditions that the irrigation and utilities are addressed and taken care of and that the Millard School District upgrade 150 East Street from Main Street to 200 North with sidewalk and paved street."

Superintendent Topham said that it was not his, nor the School Board's, understanding that the School District would be required to upgrade 150 East from 100 North to 200 North.

Mayor Dafoe said that it was the intention of the City Council for the School District to upgrade 150 East from Main Street to 200 North to adequately handle the additional traffic due to the location of the North Elementary School and the closure of 100 East Street.

Council Member Rex Harris MOVED to table discussion of this item to allow time to prepare costs estimates for street improvements on 150 East from 100 North to 200 North Street. The motion was SECONDED by Council Member Gayle Bunker. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

Keith Griffiths said that the School District is getting ready to close 100 East Street and to begin construction of the new school and asked what needs to take place. Attorney Waddingham said that legal descriptions are needed for the necessary deeds.

Council Member Gayle Bunker reminded Superintendent Topham and Mr. Griffiths that the closing of 100 East Street and issuance of a deed is based on the conditions stated in the above mentioned motion regarding street improvements.

Superintendent Topham then discussed EDNET, an educational microwave system. He said that the School District is installing the system at the Vocational Center and asked if the system could be of any benefit to Delta City. Mayor Dafoe said that he felt that the system would not be a benefit to the City personnel at this time.

ATTORNEY RICHARD WADDINGHAM: AMENDMENT TO NUISANCE ORDINANCE

Mayor Dafoe asked Attorney Richard Waddingham to present an amendment to the Nuisance Ordinance.

Attorney Waddingham said that he has received complaints regarding nuisances within Delta City. Attorney Waddingham presented and reviewed in detail the following proposed ordinance entitled:

ORDINANCE NO. 92-144

AN ORDINANCE AMENDING SECTION 10-351 OF THE REVISED ORDINANCES OF DELTA CITY (1981 EDITION) AS AMENDED, ("DELTA CITY NUISANCES") PERTAINING TO THE APPOINTMENT AND DUTIES OF THE DELTA CITY NUISANCE INSPECTOR; SECTION 10-352 OF THE DELTA CITY ORDINANCES PERTAINING TO THE PROCEDURE FOR OBTAINING A HEARING BEFORE THE DELTA CITY COUNCIL IN VIOLATION OF THE CITY'S NUISANCE ORDINANCE; SECTION 10-354 OF THE DELTA CITY ORDINANCES PERTAINING TO COST STATEMENT FOR SERVICES PROVIDED BY THE CITY TO ABATE NUISANCES; SECTION 10-357 OF THE REMEDIES AVAILABLE TO DELTA CITY FOR ENFORCEMENT OF THE NUISANCE ORDINANCE; SECTION 10-359 OF THE DELTA CITY ORDINANCES PERTAINING TO PENALTIES FOR CRIMINAL VIOLATIONS OF THE NUISANCE ORDINANCE AND RENUMBERING SECTION 10-352.D. AS 10-357.B.

Following brief discussion, Council Member Robert Droubay MOVED to adopt Ordinance No. 92-144 as presented. Council Member Gayle Bunker SECONDED the motion. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a roll call vote. The voting was as follows:

Council Member Gayle Bunker	Yes
Council Member Alan Burraston	Yes
Council Member Robert Dekker	Yes
Council Member Robert Droubay	Yes
Council Member Rex Harris	Yes

Mayor Dafoe then signed the ordinance and it was attested by Deputy City Recorder Virginia Taylor.

ATTORNEY RICHARD WADDINGHAM: AMENDMENT TO BUSINESS LICENSE ORDINANCE

Mayor Dafoe asked Attorney Richard Waddingham to address the City Council regarding an amendment to the Business License Ordinance.

Attorney Waddingham explained that a few changes and additions have been proposed to the Business License Ordinance. Those amendments will be completed and the ordinance will be presented at the next Regular City Council Meeting.

Council Member Robert Droubay MOVED to table this item until the next Regular City Council Meeting. The motion was SECONDED by Council Member Alan Burraston. Mayor Dafoe asked if there were any

comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

ATTORNEY RICHARD WADDINGHAM: RESOLUTION ADOPTING RESIDENTIAL
ANTIDISPLACEMENT AND RELOCATION ASSISTANCE PLAN AND CERTIFICATION -
CDBG

Mayor Dafoe asked Attorney Richard Waddingham to present a resolution adopting a Residential Antidisplacement and Relocation Assistance Plan And Certification for the purpose of receiving Development Block Grant monies - CDBG.

Attorney Richard Waddingham presented a proposed resolution entitled:

RESOLUTION NO. 92-210

A RESOLUTION ESTABLISHING A RESIDENTIAL
ANTIDISPLACEMENT AND RELOCATION ASSISTANCE
PLAN AND CERTIFICATION FOR THE PURPOSE OF
RECEIVING COMMUNITY DEVELOPMENT BLOCK GRANT
MONIES.

Attorney Waddingham explained that he recently received this resolution, which is required in order to obtain CDBG funds. Due to the time deadline and urgency in submitting this resolution for CDBG, Attorney Waddingham did not have time to research the necessary statutes referred to in this resolution. Attorney Waddingham said that he is without an opinion as to whether this resolution would adversely effect Delta City.

Following discussion, Council Member Gayle Bunker MOVED to adopt Resolution No. 92-210 as presented. The motion was SECONDED by Council Member Rex Harris. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a roll call vote. The voting was as follows:

Council Member Gayle Bunker	Yes
Council Member Alan Burraston	Yes
Council Member Robert Dekker	Yes
Council Member Robert Droubay	Yes
Council Member Rex Harris	Yes

Mayor Dafoe then signed the resolution and it was attested by Deputy City Recorder Virginia Taylor.

MAYOR DON DAFOE: APPOINTMENT OF RECREATION ADVISORY BOARD

Mayor Dafoe read a letter from the Millard County Commission stating that they are in the process of appointing an advisory board for the Recreation Department, and they requested that he appoint one City Council Member and one additional person to the Advisory Board.

Mayor Dafoe recommended that Council Member Robert Droubay be appointed as the City Council Representative and that Jeff Hostetler be appointed as the second Delta City representative.

Council Member Robert Dekker MOVED to appoint Robert Droubay, Council Member, and Jeff Hostetler, City Resident, to the Recreation Advisory Board. The motion was SECONDED by Council Member Rex Harris. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

MAYOR DON DAFOE: LIBRARY CARD FEES FOR MILLARD COUNTY RESIDENTS

Mayor Don Dafoe said that he has had several Millard County residents approach him and express opposition to the fees that are charged to Millard County residents for using the Library.

Mayor Dafoe referred to Resolution No. 90-194 which states the following:

"The current annual Delta City library user fees for use of the Delta City library by non-Delta City residents shall be increased from its current rates to \$5.00 per family per year for non-Delta City residents.

Discussion was held regarding Delta City Taxes, Millard County Taxes, Revenue Sharing, Sales Tax, and Property Tax issues concerning Millard County residents and Delta City residents.

Janet Frederick, Library Board Member, recommended that a fact sheet be prepared explaining Delta City Library revenue sources and why a fee is assessed to non-City Resident Library users.

Following discussion, Council Member Robert Dekker MOVED to leave the Annual User Fees for use of the Delta City Library by non-Delta City residents at \$5.00 per family. The motion was SECONDED by Council Member Rex Harris. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

JIM FREDERICK, FIRST SECURITY BANK: DOWNTOWN BUSINESS DISTRICT

Mayor Dafoe asked Jim Frederick, First Security Bank, to address the Council.

Mr. Jim Frederick explained that as a downtown businessman, he is concerned about the dust, dirt and gravel on Delta City's Mainstreet and asked what Delta City, as well as business owners, could do to prevent this.

Discussion was held regarding inadequate drainage on Main Street.

Public Works Director Neil Forster said that the primary issue in planning and design for a downtown beautification project should be adequate drainage along Main Street.

Requesting additional street sweeps from UDOT and encouraging business owners to keep their frontage areas cleaned out was also discussed.

Bryce Ashby requested permission for the fire department to spray off Main Street using a tanker truck with a pressurized hose see where the water goes and/or how long it stands in the gutters. The Council Members agreed to Mr. Ashby's proposal.

Discussion was also held regarding snow removal on Main Street.

Organization of a group meeting with business people and J. R. Chamberlain, UDOT District 5 Representative, was discussed. Mayor Dafoe will contact Mr. Chamberlain and schedule a meeting to discuss Main Street problem areas.

OTHER BUSINESS

Georgia Hare, Central Utah Mental Health, was in attendance and requested Delta City's sponsorship of two individuals to attend the University of Utah's School On Alcoholism And Other Drug Dependencies to be held June 21-26, 1992. Mrs. Hare explained that the cost for an individual would be \$430.

Following brief discussion, Council Member Robert Droubay MOVED to authorize the expenditure of \$860 to sponsor two Delta City residents to attend the University of Utah's School On Alcoholism And Other Drug Dependencies. The motion was SECONDED by Council Member Gayle Bunker. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

Ruth Hansen, Library Board Member, said that the Library Board has discussed the Library Trust Fund. She explained that the Library Trust Fund has a principal amount of \$25,000. The Library desires to maintain the principal amount and use interest earned from that money in the Library Department. Ms. Hansen recommended that a resolution be drafted setting conditions for the Library Trust Fund. This item will be discussed at the next Regular City Council Meeting.

Council Member Alan Burraston MOVED to meet in closed session at 9:04 p.m. for the purpose of discussing Delta City personnel. The motion was SECONDED by Council Member Rex Harris. Mayor Dafoe asked if there were any comments or questions regarding the motion.

There being none, he called for a roll call vote. The voting was as follows:

Council Member Alan Burraston	Yes
Council Member Gayle Bunker	Yes
Council Member Robert Dekker	Yes
Council Member Robert Droubay	Yes
Council Member Rex Harris	Yes

Following closed session, Council Member Robert Dekker MOVED to reconvene into Regular City Council Meeting at 10:01 p.m. The motion was SECONDED by Council Member Rex Harris. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

Mayor Dafoe asked if there were any comments, questions or items to be discussed. There being none, Council Member Alan Burraston MOVED to adjourn. The motion was SECONDED by Council Member Rex Harris. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously. Mayor Dafoe declared the meeting adjourned at 10:01 p.m.


DON DAFOE, Mayor


DOROTHY JEFFERY
Delta City Recorder

MINUTES APPROVED: RCCM 5-11-92